IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3162 of 2007()

CRIME NO.416/97 OF PERINTHALMANNA POLICE STATION

PETITIONER : ACCUSED

SHAMEER, AGED 28 YEARS
S/O.AHAMMED KUTTY,
VETTIKKALI, KUNNAPPALLY AMSOM,
PATHAIKKARA DESOM.

BY ADV. SMT.RINCI ANTONY.T
SMT.LEELA.R.

RESPONDENTS: COMPLAINANT

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3162 OF 2007

Dated this the 1st day of June, 2007

O R D E R

Petitioner, who is the accused in Crime No.416/97 of Perinthalmanna Police Station for an offence punishable under Sec.379 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in L.P. No.27/03 on the file of the J.F.C.M.-I, Perinthalmanna, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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